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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,296	01/30/2004	Shane J. Van Sloun	17310-299756	6316

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MINNEAPOLIS, MN 55402

EXAMINER

DAVIS, DAVID DONALD

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/768,296	Applicant(s) VAN SLOUN ET AL.	
	Examiner David D. Davis	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
4a) Of the above claim(s) 6-17 and 19-22 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5, 18 and 23 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 6-17 and 19-22 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on January 25, 2006.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sogabe (US 5,491,599). As per claim 1, Sogabe shows in figures 10-11 a method of forming a head suspension for a rigid disk drive having a load beam 20 with a mounting region 131, a rigid region, and a spring region located between the mounting region 131 and rigid region. Figures 10-11 of Sogabe show generating a plurality of tabs 142 adjacent to an aperture 134 in the mounting region 131; and bending at least one of the tabs 142 at an angle with respect to the mounting region 131 to generate an integral boss tower.

As per claim 2, Sogabe shows in figures 10-11 the tabs 142 and the mounting region 131 include different portions of the same piece of material. As per claim 3, Sogabe shows in figures 10-11 bending at least one of the tabs 142. As per claim 4, Sogabe shows in figures 10-11 the tabs 142 with a first portion directed away from the mounting region 131. As per claim 5,

Sogabe shows in figures 10-11 the tabs 142 with a second portion directed towards the mounting region 131.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sogabe (US 5,491,599) in view of Tanaka et al (US 6,226,152). As per claim 18, Sogabe shows in figures 10-11 a method of forming a head suspension for a rigid disk drive having a load beam 20 with a mounting region 131, a rigid region, and a spring region located between the mounting region 131 and rigid region. Figures 10-11 of Sogabe shows generating a plurality of tabs 142 located around an aperture 134 in the mounting region 131; and positioning the tabs 142 at an angle with respect to the mounting region 131.

Sogabe is silent as to injection molding the boss tower to the mounting region.

Tanaka et al discloses in the paragraph bridging columns 7 and 8 and shows in figure 7 injection molding the boss tower to the mounting region using a material which flows around the boss tower and the mounting region.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to injection mold the boss tower to the mounting region of Sogabe using a material which flows around the tabs between the boss tower and the mounting region as taught by Tanaka et al. The rationale is as follows: one of ordinary skill in the art at the time the invention was made would have been motivated to injection mold the boss tower to the mounting region using a material which flows around the tabs between the boss tower and the mounting region so as to firm secure and strength the bond between the boss tower, the tabs and the mounting region.

Response to Arguments

6. Applicant's arguments filed May 23, 2006 have been fully considered but they are not persuasive. Applicant asserts on page 6 in the antepenultimate line through the last line of the second paragraph the following: "The spacers 23, 123 of Sogabe are not part of the suspension arm 20. Rather, the spacers are discrete components to which the suspension arm is attached." Whether or not the spacers are apart of the suspension, is not germane to the *claimed* invention. The *claimed* invention does not preclude "discrete components to which the suspension arm is attached."

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is 571-272-7572. The examiner can normally be reached on Monday thru Friday between 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). 6



David D. Davis
Primary Examiner
Art Unit 2627

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